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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GREGORY KACHMAN,

Plaintiff(s),

vs.

WASHOE COUNTY DEPUTY SHERIFF  
CHAD E. ROSS

Defendant(s).

Case No.3:16-cv-00007-MMD-WGC

**MOTION TO PERMIT  
LIMITED DISCOVERY**

COMES NOW, GREGORY KACHMAN (“Plaintiff”), by and through the undersigned counsel, hereby moves that the Court permit limited discovery as described herein. The Plaintiff’s Motion is based on the following Memorandum of Points and Authorities.

**MEMORANDUM OF POINTS AND AUTHORITIES**

1. On February 9, 2016, WASHOE COUNTY DEPUTY SHERIFF CHAD E. ROSS (“Defendant”) filed a Motion to Stay Pending Resolution of Criminal Investigation/Charges (Doc. #8). On February 9, 2016, the Plaintiff filed a Response in Opposition to the

1 Defendant's Motion to Stay Pending Resolution of Criminal Investigation/Charges (Doc.  
2 #9). On February 12, 2016, the Defendant filed a reply thereto. (Doc. #11)  
3

4 2. On February 17, 2016, the Court held a hearing on the Motion and ruled that general  
5 discovery be stayed for approximately ninety (90) days, but that the Plaintiff was permitted  
6 to undertake non-destructive examination of the DVR outdoor surveillance equipment taken  
7 from Plaintiff's home and also be provided a copy of the recording.  
8

9 3. On March 14, 2016, the parties met at the Sparks Police Department to view the DVR  
10 from the Plaintiff's residence. At this meeting, it was revealed that another video of the  
11 incident taken from the Defendant's patrol vehicle exists. This video may show what  
12 occurred when Deputy Ross shot Kachman, and is thus directly probative to the claims  
13 made by Kachman in this case. The contents of this video may directly corroborate or  
14 contradict the differing accounts of the shooting at issue in this case, and thus, obtaining the  
15 video may lead to early resolution of the case.  
16  
17

18 4. Thus, the Plaintiff respectfully requests that the Court grant the Plaintiff leave to  
19 immediately issue a subpoena duces tecum to the Sparks Police Department requesting a  
20 copy of the video recorded from Deputy Ross' patrol vehicle from the night of the incident.  
21

22 BASED ON THE FOREGOING, the Plaintiff respectfully requests that the Court  
23 grant the Plaintiff's request to engage in limited discovery, namely, that the Plaintiff be  
24 permitted to issue a subpoena duces tecum to the Sparks Police Department to obtain a  
25 copy of the relevant dash cam footage from Deputy Ross' patrol vehicle.  
26

27 //

28 Respectfully submitted this March 31, 2016.

By: Luke A. Busby  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the date indicated below, I electronically transmitted the foregoing pleading to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel registered to receive Electronic Filings and/or mailed the foregoing pleading via US Mail postage prepaid to the following persons:

Michael Large, Esq.  
Washoe County DA's Office  
P.O. Box 11130  
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By: Luke A. Busby

Dated: March 31, 2016.

Luke Busby